

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

-----	x	
	:	
RALPH S. JANVEY, IN HIS CAPACITY	:	
AS COURT-APPOINTED RECEIVER FOR	:	
THE STANFORD RECEIVERSHIP	:	
ESTATE, AND THE OFFICIAL	:	
STANFORD INVESTORS COMMITTEE,	:	
	:	
<i>Plaintiffs,</i>	:	Civil Action No. 3:13-cv-00477-N
	:	Hon. David C. Godbey
- against -	:	
	:	
PROSKAUER ROSE, LLP,	:	
CHADBOURNE & PARKE, LLP, AND	:	
THOMAS V. SJOBLUM,	:	
	:	
<i>Defendants.</i>	:	
	:	
-----	x	

---

**ADVISORY TO THE COURT**

---

Defendant Proskauer Rose LLP (“Proskauer”) respectfully advises the Court that, on April 16, 2018, it appealed this Court’s collateral order entered on April 10, 2018 (ECF No. 301) to the U.S. Court of Appeals for the Fifth Circuit. See Exhibit A (Notice of Appeal).

“[A] district court is divested of jurisdiction upon the filing of the notice of appeal with respect to any matters involved in the appeal.” Alice L. v. Dusek, 492 F.3d 563, 564 (5th Cir. 2007); see also Troice v. Proskauer Rose, L.L.P., 816 F.3d 341, 346 (5th Cir. 2016) (“[A]ttorney immunity is properly characterized as a true immunity from suit.”). Accordingly, this Court lacks jurisdiction to proceed with respect to plaintiffs’ claims against Proskauer. See Garcia v. Burlington N. R.R. Co., 818 F.2d 713, 721 (10th Cir. 1987) (explaining that any actions taken once a notice of appeal is filed are “null and void”). Because the Court lacks jurisdiction to issue any orders or take any other actions at the upcoming pre-trial conference that would “alter the

status of the case as it rests before the Court of Appeals,” Dayton Indep. Sch. Dist. v. U.S. Mineral Prods. Co., 906 F.2d 1059, 1063-64 (5th Cir. 1990), Proskauer respectfully submits that the pre-trial conference and all other pending matters should be adjourned until such time as Proskauer’s appeal is resolved.

Dated: April 17, 2018

CARRINGTON, COLEMAN,  
SLOMAN & BLUMENTHAL, L.L.P.

DAVIS POLK & WARDWELL LLP

By: /s/ Neil R. Burger

---

Neil R. Burger  
Texas Bar No. 24036289  
nburger@ccsb.com  
Bruce W. Collins  
Texas Bar No. 04604700  
bcollins@ccsb.com  
901 Main Street, Suite 5500  
Dallas, Texas 75202  
Telephone: (214) 855-3000  
Facsimile: (214) 855-1333

/s/ James P. Rouhandeh

---

James P. Rouhandeh\*  
New York Bar No. 2211837  
rouhandeh@davispolk.com  
Daniel J. Schwartz\*  
New York Bar No. 4159430  
daniel.schwartz@davispolk.com  
Craig M. Reiser\*  
New York Bar No. 4886735  
craig.reiser@davispolk.com  
450 Lexington Avenue  
New York, New York 10017  
Telephone: (212) 450-4000  
Facsimile: (212) 701-5800  
\* admitted *pro hac vice*

*Attorneys for Defendant Proskauer  
Rose LLP*

**CERTIFICATE OF SERVICE**

I hereby certify that, on April 17, 2018, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF system for filing. A Notice of Electronic Filing was transmitted to all ECF registrants.

/s/ James P. Rouhandeh  
James P. Rouhandeh